

STATE OF TENNESSEE

Office of the Attorney General



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TELEPHONE 615-741-3491  
FACSIMILE 615-741-2009

October 3, 2002

Chairman Sara Kyle  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

**RE: IN RE: UNITED CITIES GAS COMPANY, a Division of ATMOS ENERGY  
CORPORATION INCENTIVE PLAN ACCOUNT (IPA) AUDIT  
Docket No.: 01-00704**

Dear Chairman Kyle:

Enclosed is an original and thirteen copies of the Office of the Attorney General's Notice and Request for Expedited Resolution in the above-referenced matter. We request that this be filed with the TRA in this docket. Please be advised that all parties of record have been served copies of these documents. If you have any questions, kindly contact me at (615) 532-3382. Thank you very much.

Sincerely,

A handwritten signature in cursive script that reads "Shilina B. Chatterjee".

Shilina B. Chatterjee  
Assistant Attorney General

Enclosures

58887

**IN THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**

) **DOCKET NO. 01-00704**

)  
) **UNITED CITIES GAS COMPANY, a**  
) **Division of ATMOS ENERGY**  
) **CORPORATION INCENTIVE PLAN**  
) **ACCOUNT (IPA) AUDIT**  
)

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**NOTICE AND REQUEST FOR EXPEDITED RESOLUTION**

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The Attorney General has filed a Motion To Compel Answers to the Attorney General's First Set of Interrogatories, Requests for Production of Documents & Things and Requests for Admission upon United Cities Gas Company ("Motion to Compel"), along with two (2) memoranda in support of the motion. The Motion to Compel was filed because the Attorney General's office believes the information sought is discoverable and needed, should this matter proceed to a hearing. The Attorney General will need the information to counter the presentation of UCG at the hearing if the hearing officer allows United Cities Gas to stray beyond the information relevant to the issues at hand.

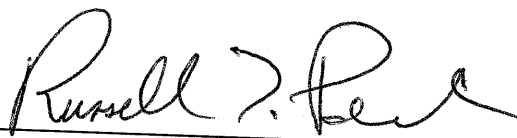
However, the Attorney General does not wish that resolution of this matter to be delayed by review of its Motion to Compel. More specifically, the Attorney General is willing to wait for an order compelling discovery until after the hearing officer's ruling on the motions for summary judgment filed in this matter by the Attorney General and the Tennessee Regulatory Staff.

There are two (2) things which are obvious from a review of the discovery production of United Cities Gas. First, the approach of United Cities Gas reflects a deep disregard for its duties under the rules of the Tennessee Regulatory Authority and the Tennessee Rules of Civil Procedure. Second, its response to Interrogatory No. 4 reveals that United Cities Gas does not now have, and by inference did not have at the time it filed its objection to the Staff's audit, information extraneous to the record, order and subsequent tariff filing in Tennessee Regulatory Authority Docket No. 97-01364 which impact the issues in this matter in any meaningful manner.

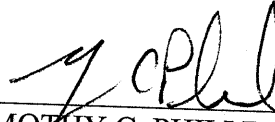
This matter is ripe for decision on the summary judgment motions of the Attorney General and the Tennessee Regulatory Authority Staff. The evasive and incomplete discovery responses of United Cities Gas should not delay the resolution of this matter. The Attorney General agrees to wait for a decision on the motion to compel filed against United Cities Gas until after the hearing officer's decision on the summary judgment motions on file in this matter.

The Attorney General also requests that all discovery filed in this matter be considered by the hearing officer in making his decisions regarding the summary judgments filed to date.

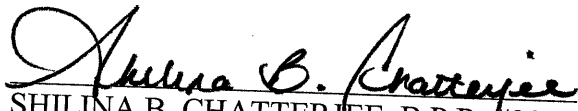
RESPECTFULLY SUBMITTED,

A handwritten signature in dark ink, appearing to read "Russell T. Perkins", is written over a horizontal line.

RUSSELL T. PERKINS, B.P.R. #10282  
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TIMOTHY C. PHILLIPS, B.P.R. #12751  
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Office of the Attorney General  
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SHILINA B. CHATTERJEE, B.P.R. #20689  
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P.O. Box 20207  
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(615) 532-3382

Dated: October 3, 2002

## CERTIFICATE OF SERVICE

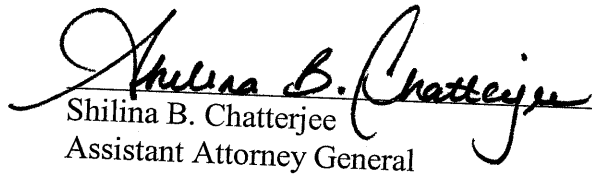
I hereby certify that a true and correct copy of the foregoing was served via U.S. Mail or hand delivery on October 3, 2002 to the following:

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Shilina B. Chatterjee  
Assistant Attorney General